

Please type a plus sign (+) inside this box →

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY

PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 6533/53765

First Named Inventor Varier, et al.

Title Network Traffic Synchronization Mechanism

Express Mail Label No. ER107000303US

PRO

61573

10/6/03

10/6/03

07/30/03

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 44]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 12]

5. Oath or Declaration [Total Sheets 24]

- a. Newly executed (original or copy) MA

- b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)

i. **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. Computer Readable Form (CRF)

- b. Specification Sequence Listing on:

- i. CD-ROM or CD-R (2 copies); or
ii. paper

- c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement (when there is an assignee) Power of Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. Other: Credit Card Payment Form PTO-2038.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP)

of prior application No. _____

Group Art Unit: _____

Prior application information: Examiner _____
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

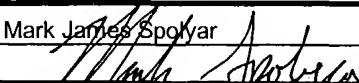
19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

30505

or Correspondence address below

Name	Mark J. Spolyar				
Address	Law Office of Mark J. Spolyar				
	38 Fountain Street				
City	San Francisco	State	CA	Zip Code	94114
Country	USA	Telephone	415-826-7966	Fax	415-480-1780

Name (Print/type)	Mark James Spolyar	Registration No. (Attorney/Agent)	42164
Signature		Date	June 30, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$)	643.00	Attorney Docket No.	6533/53765
-------------------------	------	--------	---------------------	------------

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <input type="text"/></p> <p>Deposit Account Name <input type="text"/></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> X Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65 Surcharge – late filing fee or oath</td><td><input type="text"/></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25 Surcharge – late provisional filing fee or cover sheet</td><td><input type="text"/></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130 Non-English specification</td><td><input type="text"/></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520 For filing a request for ex parte reexamination</td><td><input type="text"/></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920* Requesting publication of SIR prior to Examiner action</td><td><input type="text"/></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840* Requesting publication of SIR after Examiner action</td><td><input type="text"/></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55 Extension for reply within first month</td><td><input type="text"/></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205 Extension for reply within second month</td><td><input type="text"/></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465 Extension for reply within third month</td><td><input type="text"/></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725 Extension for reply within fourth month</td><td><input type="text"/></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985 Extension for reply within fifth month</td><td><input type="text"/></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160 Notice of Appeal</td><td><input type="text"/></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160 Filing a brief in support of an appeal</td><td><input type="text"/></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140 Request for oral hearing</td><td><input type="text"/></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510 Petition to institute a public use proceeding</td><td><input type="text"/></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55 Petition to revive – unavoidable</td><td><input type="text"/></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650 Petition to revive – unintentional</td><td><input type="text"/></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650 Utility issue fee (or reissue)</td><td><input type="text"/></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235 Design issue fee</td><td><input type="text"/></td></tr> <tr><td>1503</td><td>630</td><td>2503</td><td>315 Plant issue fee</td><td><input type="text"/></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130 Petitions to the Commissioner</td><td><input type="text"/></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50 Processing fee under 37 CFR 1.17(q)</td><td><input type="text"/></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180 Submission of Information Disclosure Stmt</td><td><input type="text"/></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40 Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td><input type="text"/></td></tr> <tr><td>1810</td><td>750</td><td>2810</td><td>375 For each additional invention to be examined (37 CFR § 1.129(b))</td><td><input type="text"/></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375 Request for Continued Examination (RCE)</td><td><input type="text"/></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900 Request for expedited examination of a design application</td><td><input type="text"/></td></tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="2">SUBTOTAL (3) (\$) 40.00</td> </tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2"></td> </tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65 Surcharge – late filing fee or oath	<input type="text"/>	1052	50	2052	25 Surcharge – late provisional filing fee or cover sheet	<input type="text"/>	1053	130	1053	130 Non-English specification	<input type="text"/>	1812	2,520	1812	2,520 For filing a request for ex parte reexamination	<input type="text"/>	1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	<input type="text"/>	1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	<input type="text"/>	1251	110	2251	55 Extension for reply within first month	<input type="text"/>	1252	410	2252	205 Extension for reply within second month	<input type="text"/>	1253	930	2253	465 Extension for reply within third month	<input type="text"/>	1254	1,450	2254	725 Extension for reply within fourth month	<input type="text"/>	1255	1,970	2255	985 Extension for reply within fifth month	<input type="text"/>	1401	320	2401	160 Notice of Appeal	<input type="text"/>	1402	320	2402	160 Filing a brief in support of an appeal	<input type="text"/>	1403	280	2403	140 Request for oral hearing	<input type="text"/>	1451	1,510	1451	1,510 Petition to institute a public use proceeding	<input type="text"/>	1452	110	2452	55 Petition to revive – unavoidable	<input type="text"/>	1453	1,300	2453	650 Petition to revive – unintentional	<input type="text"/>	1501	1,300	2501	650 Utility issue fee (or reissue)	<input type="text"/>	1502	470	2502	235 Design issue fee	<input type="text"/>	1503	630	2503	315 Plant issue fee	<input type="text"/>	1460	130	1460	130 Petitions to the Commissioner	<input type="text"/>	1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	<input type="text"/>	1806	180	1806	180 Submission of Information Disclosure Stmt	<input type="text"/>	8021	40	8021	40 Recording each patent assignment per property (times number of properties)	40.00	1809	750	2809	375 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>	1810	750	2810	375 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>	1801	750	2801	375 Request for Continued Examination (RCE)	<input type="text"/>	1802	900	1802	900 Request for expedited examination of a design application	<input type="text"/>	Other fee (specify) _____				SUBTOTAL (3) (\$) 40.00		*Reduced by Basic Filing Fee Paid					
Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																														
1051	130	2051	65 Surcharge – late filing fee or oath	<input type="text"/>																																																																																																																																																														
1052	50	2052	25 Surcharge – late provisional filing fee or cover sheet	<input type="text"/>																																																																																																																																																														
1053	130	1053	130 Non-English specification	<input type="text"/>																																																																																																																																																														
1812	2,520	1812	2,520 For filing a request for ex parte reexamination	<input type="text"/>																																																																																																																																																														
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action	<input type="text"/>																																																																																																																																																														
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action	<input type="text"/>																																																																																																																																																														
1251	110	2251	55 Extension for reply within first month	<input type="text"/>																																																																																																																																																														
1252	410	2252	205 Extension for reply within second month	<input type="text"/>																																																																																																																																																														
1253	930	2253	465 Extension for reply within third month	<input type="text"/>																																																																																																																																																														
1254	1,450	2254	725 Extension for reply within fourth month	<input type="text"/>																																																																																																																																																														
1255	1,970	2255	985 Extension for reply within fifth month	<input type="text"/>																																																																																																																																																														
1401	320	2401	160 Notice of Appeal	<input type="text"/>																																																																																																																																																														
1402	320	2402	160 Filing a brief in support of an appeal	<input type="text"/>																																																																																																																																																														
1403	280	2403	140 Request for oral hearing	<input type="text"/>																																																																																																																																																														
1451	1,510	1451	1,510 Petition to institute a public use proceeding	<input type="text"/>																																																																																																																																																														
1452	110	2452	55 Petition to revive – unavoidable	<input type="text"/>																																																																																																																																																														
1453	1,300	2453	650 Petition to revive – unintentional	<input type="text"/>																																																																																																																																																														
1501	1,300	2501	650 Utility issue fee (or reissue)	<input type="text"/>																																																																																																																																																														
1502	470	2502	235 Design issue fee	<input type="text"/>																																																																																																																																																														
1503	630	2503	315 Plant issue fee	<input type="text"/>																																																																																																																																																														
1460	130	1460	130 Petitions to the Commissioner	<input type="text"/>																																																																																																																																																														
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)	<input type="text"/>																																																																																																																																																														
1806	180	1806	180 Submission of Information Disclosure Stmt	<input type="text"/>																																																																																																																																																														
8021	40	8021	40 Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																														
1809	750	2809	375 Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="text"/>																																																																																																																																																														
1810	750	2810	375 For each additional invention to be examined (37 CFR § 1.129(b))	<input type="text"/>																																																																																																																																																														
1801	750	2801	375 Request for Continued Examination (RCE)	<input type="text"/>																																																																																																																																																														
1802	900	1802	900 Request for expedited examination of a design application	<input type="text"/>																																																																																																																																																														
Other fee (specify) _____				SUBTOTAL (3) (\$) 40.00																																																																																																																																																														
*Reduced by Basic Filing Fee Paid																																																																																																																																																																		
<p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>		<p>FEE CALCULATION</p> <p>1. BASIC FILING FEE</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>750</td><td>2001</td><td>375 Utility filing fee</td><td>375.00</td></tr> <tr><td>1002</td><td>330</td><td>2002</td><td>165 Design filing fee</td><td><input type="text"/></td></tr> <tr><td>1003</td><td>520</td><td>2003</td><td>260 Plant filing fee</td><td><input type="text"/></td></tr> <tr><td>1004</td><td>750</td><td>2004</td><td>375 Reissue filing fee</td><td><input type="text"/></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80 Provisional filing fee</td><td><input type="text"/></td></tr> </tbody> </table> <p>SUBTOTAL (1) (\$) 375.00</p> <p>2. EXTRA CLAIM FEES</p> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Independent Claims</th> <th>Multiple Dependent</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>36</td><td>5</td><td></td><td>-20**= 16</td><td>x 9.00 = 144.00</td><td><input type="text"/></td></tr> <tr><td></td><td></td><td></td><td>-3**= 2</td><td>x 42.00 = 84.00</td><td><input type="text"/></td></tr> </tbody> </table> <p>SUBTOTAL (2) (\$) 228.00</p> <p>** or number previously paid, if greater; For Reissues, see above</p>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001	750	2001	375 Utility filing fee	375.00	1002	330	2002	165 Design filing fee	<input type="text"/>	1003	520	2003	260 Plant filing fee	<input type="text"/>	1004	750	2004	375 Reissue filing fee	<input type="text"/>	1005	160	2005	80 Provisional filing fee	<input type="text"/>	Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid	36	5		-20**= 16	x 9.00 = 144.00	<input type="text"/>				-3**= 2	x 42.00 = 84.00	<input type="text"/>																																																																																																														
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																																																															
1001	750	2001	375 Utility filing fee	375.00																																																																																																																																																														
1002	330	2002	165 Design filing fee	<input type="text"/>																																																																																																																																																														
1003	520	2003	260 Plant filing fee	<input type="text"/>																																																																																																																																																														
1004	750	2004	375 Reissue filing fee	<input type="text"/>																																																																																																																																																														
1005	160	2005	80 Provisional filing fee	<input type="text"/>																																																																																																																																																														
Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid																																																																																																																																																													
36	5		-20**= 16	x 9.00 = 144.00	<input type="text"/>																																																																																																																																																													
			-3**= 2	x 42.00 = 84.00	<input type="text"/>																																																																																																																																																													

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Signature	Registration No. (Attorney/Agent)	Telephone	Date
Mark James Solyar		42164	415-826-7966	June 30, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Varier, et al.
Title	Network Traffic Synchronization Mechanism
Atty Docket Number	6533/53765

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 30, 2003

Date

Signature

Mark James Spolyar

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.